

SENATE BILL REPORT

SSB 5292

As Passed Senate, February 23, 2021

Title: An act relating to the use of parks and recreation spaces, trails, and facilities in the design of parks Rx pilot program collaboratively designed with the health care and insurance industry sectors.

Brief Description: Concerning the use of parks and recreation spaces, trails, and facilities in the design of parks Rx pilot program collaboratively designed with the health care and insurance industry sectors.

Sponsors: Senate Committee on Health & Long Term Care (originally sponsored by Senators Nobles, Cleveland, Das, Keiser, Lovelett, Nguyen, Randall, Salomon, Stanford, Van De Wege and Wilson, C.).

Brief History:

Committee Activity: Health & Long Term Care: 2/05/21, 2/12/21 [DPS, DNP, w/oRec].

Floor Activity: Passed Senate: 2/23/21, 46-3.

<p style="text-align: center;">Brief Summary of First Substitute Bill</p> <ul style="list-style-type: none">• Requires the Department of Health to convene a task force to develop parks prescription pilot programs.
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SENATE COMMITTEE ON HEALTH & LONG TERM CARE

Majority Report: That Substitute Senate Bill No. 5292 be substituted therefor, and the substitute bill do pass.

Signed by Senators Cleveland, Chair; Frockt, Vice Chair; Conway, Keiser, Randall, Robinson and Van De Wege.

Minority Report: Do not pass.

Signed by Senators Muzzall, Ranking Member; Holy, Padden and Wilson, J.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: That it be referred without recommendation.

Signed by Senator Rivers.

Staff: Greg Attanasio (786-7410)

Background: Federal law generally prohibits group health plans from rating individuals based on health status. Employers may, however, provide their employees rewards for participating in wellness programs designed to promote health or prevent disease, or for meeting certain health targets. Wellness programs that require employees to meet health standards are subject to additional requirements, including:

- the rewards may not exceed 30 percent of the cost of the coverage;
- the program must be reasonably designed to promote health or prevent disease;
- employees must be given the opportunity to qualify for the reward at least once a year; and
- the full reward must be available to all similarly situated persons.

Wellness programs that require participation only are not subject to additional requirements.

State law prohibits insurers, producers, or title insurance agents from offering rewards as an inducement for purchasing insurance. Wellness programs that meet federal requirements are exempt from this prohibition.

Summary of First Substitute Bill: Subject to appropriation not to exceed \$200,000, the Department of Health (DOH) must convene a task force to develop a parks prescription health and wellness pilot program that can be implemented in the Puget Sound, eastern Washington, and southwest Washington regions. Task force members must include:

- the Secretary of Health, or their designee;
- two representatives from local parks and recreation agencies;
- two representatives who are health care providers and community health workers;
- a member representing chiropractors and a member representing physical therapists;
- two representatives from hospitals and health systems;
- two members representing health carriers;
- two representatives from local public health agencies; and
- a representative from the Washington State Parks.

The task force must advise DOH on developing:

- a process to establish a pilot program with an emphasis on diverse communities and where systematic inequities and discrimination have negatively affected health outcomes;
- model agreements that would enable insurers to offer incentives to public, nonprofit, and private employers to create wellness programs offering employees a discount on health insurance in exchange for a certain usage level of outdoor parks and trails for recreation and physical activity; and
- recommendations on ways in which a public-private partnership approach may be

used to fund the implementation of the pilot program.

The task force must establish an advisory committee in each region of the pilot program with representatives from communities experiencing health disparities, and consult with the advisory committee when designing the program.

DOH must report the findings and recommendations of the task force to the Governor and Legislature by September 1, 2022.

Appropriation: The bill contains a section or sections to limit implementation to the availability of amounts appropriated for that specific purpose.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: The intent of the bill is to provide prescribed access to the outdoors to communities that experience poor health outcomes. Wellness programs lower the cost of health care in the long term and connecting to the outdoors helps individuals deal with trauma. Low cost access to parks should be utilized to improve health outcomes. This program would bring the right stakeholders together to help communities that need assistance in accessing the outdoors.

OTHER: The language in the bill concerning insurer wellness programs should be change to reflect how these programs work.

Persons Testifying: PRO: Senator T'wina Nobles, Prime Sponsor; Doug Levy, Outcomes By Levy, LLC - Washington Recreation & Park Association; Peter Mayer, Metro Parks Tacoma; Cindan Gizzi, Tacoma-Pierce County Health Department; Victor Colman, Childhood Obesity Prevention Coalition; Mary Dodsworth, City of Lakewood Parks & Recreation Director; Jennie Anderson, Metro Parks Tacoma; Angela Ross, ND, Washington Association of Naturopathic Physicians; Shana Barehand, WaYa Outdoor Institute.

OTHER: Owen Rowe, State Parks and Recreation Commission; Chris Bandoli, Association of Washington Healthcare Plans; Cynthia Wilkerson, Washington Department of Fish and Wildlife.

Persons Signed In To Testify But Not Testifying: No one.